

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 7973 of 2015 (V)

PETITIONER(S):

**A. YOOSUF, AGED 41 YEARS,
S/O. OF AMEED HAJI, RESIDING AT ALANGADAN,
PARAMKIMUPPIKKAL, CHAPPANANGADI P.O., (VIA) KOTTAKKAL,
MALAPPURAM, PIN - 676 503.**

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENT(S):

- 1. THE DIRECTOR OF CIVIL SUPPLIES,
OFFICE OF THE COMMISSIONER OF CIVIL SUPPLIES,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DEPUTY CONTROLLER OF RATIONING,
NORTHERN ZONE, CIVIL STATION, KOZHIKODE - 673 001.**
- 3. THE TALUK SUPPLY OFFICER,
TIRUR, MALAPPURAM DISTRICT - 676 101.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF SHOWCAUSE NOTICE DATED 13/08/2014.

EXT.P2: TRUE COPY OF REPLY DATED 7/10/2014.

**EXT.P3(a): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD JANUARY 2012.**

**EXT.P3(b): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD FEB. 12.**

**EXT.P3(c): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD MARCH 2012.**

**EXT.P3(d): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD APRIL 2012.**

**EXT.P3(e): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD MAY 2012.**

**EXT.P3(f): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD JUNE 2012.**

**EXT.P3(g): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD JULY 2012.**

**EXT.P3(h): TRUE COPY OF THE MONTHLY INTENDS IN RESPECT OF RICE, WHEAT
AND KEROSENE FOR THE PERIOD AUGUST 2012.**

**EXT. P4: TRUE COPY OF PROCEEDINGS NO.DC(NZ) 4-2726/12 DATED 7.1.2015 ISSUED
BY THE 2ND RESPONDENT.**

EXT. P5: TRUE COPY OF APPEAL MEMORANDUM DTD.27.2.2015.

EXT.P5(a): TRUE COPY OF STAY PETITION DTD.27.2.2015.

EXT. P6: JUDGMENT DTD.18.11.2014 IN WP(C) NO.30596/2014.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

P.R.RAMACHANDRA MENON, J.

W.P.(C).No.7973 of 2015

Dated this the 19th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- i. issue a writ of mandamus or any other appropriate writ, direction or order calling for the records leading to Ext.P5 & P5(a) and direct the 1st respondent to dispose of Ext.P5 & P5(a).*
- ii. Stay Ext.P4 pending final decision in Ext.P5 appeal.*

2. The learned counsel for the petitioner points out that the prayer is only to cause Ext.P5 preferred by the petitioner against Ext.P4 passed by the second respondent to be considered and disposed of by the first respondent within a reasonable time.

3. The learned Government Pleader appearing for the respondents submits that there is a defect in the appeal memorandum preferred by the petitioner, so far as the petitioner has not satisfied a sum Rs.50/- as share towards the Legal Benefit Fund.

4. The learned counsel for the petitioner submits that the

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petitioner is ready to cure the defect. Subject to curing the defect as above, Ext.P5 appeal shall be considered and appropriate orders shall be passed by the first respondent in accordance with law after hearing the parties concerned which shall be done as expeditiously as possible, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

Status quo shall be maintained till the proceedings are finalised as above.

Sd/-

**P.R.RAMACHANDRA MENON,
JUDGE.**

rkc.